

Application No. 10/683,905  
Amendment Date March 22, 2006  
Response to Office Action of 12/22/2005

PATENT  
Docket Number: 1797US01

### **REMARKS**

This is in response to the Office Action mailed December 22, 2005. Claims 1-13 have been withdrawn. Claim 14 has been amended. Claim 16 has been canceled. New claims 21-25 have been added. Claims 14-15 and 17-25 remain pending. Support for the claim amendments and new claims can be found throughout the specification and claims and specifically on page 3 lines 7-8 (method of spot-treating); page 17 lines 15-17 (surface is carpet, rugs, upholstery, drapery, and curtains); page 6 lines 11-15 (EO/PO copolymer can be just the EO/PO copolymer portion without an alkyl group attached to it); page 7 lines 16-24 (nonionic surfactant has a C<sub>6</sub>-C<sub>24</sub> alkyl group); page 14 line 24 (composition is free of enzyme); page 7 lines 3-5 and claim 9 (nonionic surfactant is an alkoxylate, alkylpolyglycoside, amine, amide or derivative thereof); page 8 lines 1-12 and claim 10 (nonionic surfactant is an ethoxylate); claim 11 (nonionic surfactant is a C<sub>6</sub>-C<sub>12</sub> ethoxylate); page 9 lines 3-13 and claim 12 (amphoteric surfactant is a betaine); and page 9 lines 12-13 and claim 13 (amphoteric surfactant is cocoamidopropylbetaine).

### **Election/Restrictions**

Applicant confirms that election has been made to Group II (claims 14-20) with traverse. Accordingly, claims 1-13 have been withdrawn.

### **Rejections Under 35 U.S.C. § 102(b)**

The Office Action notes at the beginning that for purposes of examination, the term "EO/PO copolymer" and "nonionic surfactant" have been considered to overlap in scope. Applicant notes that this is true in the context of a surfactant with an alkyl chain with an EO/PO copolymer group attached to it. Applicant has amended claim 14 to clarify that in the present invention, the EO/PO copolymer and the nonionic surfactant are different molecules.

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Specifically, claim 14 has been amended to distinguish between the EO/PO copolymer itself, i.e., a molecule that does not have an alkyl or arylalkyl chain, such as that commercially available under the tradename Pluronic N-3 from BASF, versus a nonionic surfactant molecule that has an EO/PO copolymer group attached to an alkyl group. Claim 14 now calls out an EO/PO copolymer structure without an alkyl or arylalkyl group and a nonionic surfactant that has an alkyl chain. Thus, the EO/PO copolymer and the nonionic surfactant are different molecules in amended claim 14.

The Office Action has rejected claims 14, 15, and 17 under 35 U.S.C. §102(b) as anticipated by Krezanoski (US Pat No 3,852,210). Applicant respectfully traverses this rejection.

Applicant has amended claim 14 to incorporate specific surfaces including those surfaces called out in claim 16, namely carpet, rugs, upholstery, drapery, and curtains. Krezanoski is designed for use on hair, textiles, wood, plastic, hard surfaces, and skin. Krezanoski is not directed to a spot-treatment for carpet, rugs, upholstery, drapery, and curtains. Therefore, Applicant believes that Krezanoski does not render amended claim 14 anticipated. Accordingly, it is respectfully requested that this rejection be withdrawn.

The Office Action has rejected claims 14-17 under 35 U.S.C. § 102(b) as anticipated by Ramirez et al. (US Pat No 6,096,702). Applicant respectfully traverses this rejection.

Ramirez et al. is directed to a post foaming detergent composition. The composition in Ramirez et al. includes three components, a volatile hydrocarbon, a surfactant system having at least an amphoteric surfactant, and an effective amount of a polyalkylene oxide block copolymer surfactant. Ramirez et al. generally refers to polyalkylene oxide block copolymers. It is not clear from Ramirez et al. whether it is referring to an EO/PO copolymer with or without an alkyl chain. In either case, Ramirez et al. does not teach a composition having *both* an EO/PO

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copolymer with an alkyl chain and an EO/PO copolymer without an alkyl chain. Accordingly, it is respectfully requested that this rejection be withdrawn.

**Rejections Under 35 U.S.C. §103(a)**

The Office Action has rejected claims 14, 15, and 17 under 35 U.S.C. §103(a) as being unpatentable over Erilli et al. (US Pat No 5,629,279). Applicant respectfully traverses this rejection.

Applicant has amended claim 14 to incorporate specific surfaces including those surfaces called out in claim 16, namely carpet, rugs, upholstery, drapery, and curtains. Erilli et al. is primarily directed to a dishwashing detergent, not a spot-treatment for the surfaces called out in amended claim 14. Therefore, Applicant believes that Erilli et al. do not render amended claim 14 obvious.

Further, the Office Action acknowledges that Erilli et al. do not teach a method of cleaning using an EO/PO copolymer and an amphoteric surfactant but states that it would have been obvious to clean surfaces using these compositions. Applicant respectfully disagrees. It is generally accepted that stains such as red Kool-Aid™ are particularly problematic to remove from carpet and upholstery. A Google™ search on red Kool-Aid™ stain removal reveals many websites on the topic including one that calls it "the single worst staining substance known to man." Applicant has attached one website's advice on stain removal and notes that the website states "it's not always possible to remove kool aid stains from carpet." Applicant believes that Erilli et al. do not render the present invention obvious to a person skilled in the art because of the absence of the EO/PO copolymer and the amphoteric surfactant in the reference and the fact that the present invention is capable of removing such difficult stains. Accordingly, it is respectfully requested that this rejection be withdrawn.

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The Office Action has rejected claims 14-20 under 35 U.S.C. §103(a) as being unpatentable over Man et al. (US 2003/0087787). Applicant respectfully traverses this rejection.

Man et al. is primarily directed to a stable liquid enzyme composition. Claim 14 of the present invention has been amended to state that it is substantially free of enzyme. The present invention is directed to a spot-treatment for removing tough stains like red Kool-Aid™. The compositions of the present invention do not need an enzyme in order to work effectively. Accordingly, it is respectfully requested that this rejection be withdrawn.

The Office Action has rejected claims 14-20 under 35 U.S.C. § 103(a) as being unpatentable over Ryan et al. (WO 00/24854). Applicant respectfully traverse this rejection.

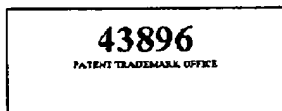
The Office Action acknowledges that Ryan et al. do not teach, with sufficient specificity, a method of cleaning, using the components of the present invention but that it would have been obvious to do so. Applicant respectfully disagrees for the same reasons discussed above with respect to Erilli et al. Specifically, Applicant believes that Ryan et al. do not render the present invention obvious to a person skilled in the art because of the absence of the EO/PO copolymer and the amphoteric surfactant in the reference and the fact that the present invention is capable of removing such difficult stains. Accordingly, it is respectfully requested that this rejection be withdrawn.

#### Summary

It is respectfully submitted that each of the pending claims is in condition for allowance, and notification to that effect is kindly requested. The Examiner is invited to contact the Applicants' primary attorney-of-record, Anneliese M. Seifert, at (651) 795-5661, if it is believed that prosecution of this application may be assisted thereby.

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Respectfully submitted,

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## **Kool Aid Stains In Carpet - Removing Them**

By Steven Gillman ☆

**Article Word Count:** 320 [\[View Summary\]](#) [Comments \(0\)](#)

It's not always possible to remove kool aid stains from carpet. All "red stains" are difficult to get out. Red coloring used in pop, candy, and other foods generally doesn't flush out with water. However, if you try the methods used by professional carpet cleaners, you may get that stain out.

First, use a shop-vac to suck some of the kool aid out, if you can get to the stain quickly. This can stop the spill from entering the carpet fibers. Getting out some or all of the remaining stain takes time.

Start with Dawn dishwashing detergent - the original blue type. Add five or six drops to two cups of warm water. Dampen a white cotton cloth with this solution and lay it over the stain. Then place a clothes iron on top of it, set on "low".

Let this sit for fifteen minutes, and don't press down. The red stain will start to wick up into the cloth. You should see red on the cloth. Fold it to use a clean part or apply a new cloth, and repeat the process.

It takes patience to get red stains out of carpet, but even year-old Kool Aid stains have been removed using this method. Repeat the process again and again until there is no more transfer of the red stain to the cloth. Rinse the spot with water, blot it up, and dry it quickly. Quick drying prevents any stain deeper down from wicking up to the surface.

To summarize: use clean white cotton cloth (several), low heat, and don't press or rub. Let the color wick up into the cloth at its own rate, then rinse and dry the area quickly. You can, at the very least, lighten Kool Aid stains and other red stains in carpet using this technique.

Steve Gillman has worked in the carpet cleaning industry for years. For more carpet-care information, and specific stain-by-stain removal instructions, visit <http://www.HowToRemoveCarpetStains.com>

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Article Submitted On: August 23, 2005